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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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**UNITED STATES OF AMERICA,**  
**Plaintiff,**

**v.**

**JOHN TRAVIS HART**  
**Defendant.**

**AMENDED MEMORANDUM  
DECISION  
AND ORDER**

**Case No. 1:17-CR-16-DAK**

**Judge Dale A. Kimball**

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This matter is before the court on Defendant's Motion for Compassionate Release under the First Step Act, 18 U.S.C. § 3582(c)(1)(A) [ECF No. 36]. Defendant requests that the court release him from custody due to medical issues and family financial issues. On August 22, 2017, this court sentenced Defendant to 144 months incarceration with the Bureau of Prisons ("BOP").

The First Step Act modified 18 U.S.C. § 3582(c)(1)(A) to allow a federal prisoner to file a motion with the court to reduce the defendant's term of imprisonment after the defendant has exhausted administrative remedies with the BOP. Defendant alleged or submitted evidence that he filed a motion for compassionate release under the CARES Act with the BOP. However, there is no evidence that Defendant has exhausted his administrative remedies as required in the First Step Act. If and when Defendant can demonstrate that he has made a request to the BOP under the First Step Act and it has been denied or thirty days have passed from receipt of the request by the warden of his facility, Defendant can bring a new motion in this court.

Accordingly, Defendant's Motion for Compassionate Release under 18 U.S.C. § 3582(c)(1)(A) [ECF No. 36] is DENIED.

Dated this 29th day of August 2023.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball", written over a horizontal line.

DALE A. KIMBALL

United States District Judge